

MARICOPA COUNTY SHERIFF'S OFFICE
Bureau of Internal Oversight
Audits and Inspections
BI2016-0072



Bureau of Internal Oversight
Supervisor Note Inspection Report
Date: 6/23/2016
Inspection #BI2016-0072



Joseph M. Arpaio, Sheriff

To: Lt. Morris #S1014
Division Commander
Bureau of Internal Oversight

From: Sgt. Reaulo #1678
Inspections Sergeant
Bureau of Internal Oversight

Subject: Sworn Supervisor Note Inspection Summary,
May 2016
BI2016-0072

Date: June 23, 2016
Report Period:
May 1-31, 2016

The Bureau of Internal Oversight will be conducting inspections of supervisory notes on an on-going basis to determine if the notes are in compliance with office policies, promote proper supervision, and support the Melendres Order. To achieve this, inspectors will utilize the IAPro System and a sample of randomly selected employees from each district/division for review. These entries will be uniformly inspected utilizing a matrix developed by the Bureau of Internal Oversight in accordance with the procedures outlined in policies CP-8, EA-11, EB-1, and EB-2, GB-2, and GJ-35.

Matrix Procedures:

- Determine what district/division the notes originated from
- Ensure the supervisor completed two performance entries per deputy each month
- Verify the supervisor discussed traffic stops completed
- Ensure the supervisor has reviewed collected data monthly
- Each Blue Team entry inspected will be counted as one inspection

Criteria:

MCSO Policy # EB-1, TRAFFIC ENFORCEMENT, VIOLATOR CONTACTS, AND CITATION ISSUANCE (Section 16): “First line supervisors shall individually discuss the traffic stops made by each deputy under their supervision at least one time per month. The discussion shall include whether the deputy detained any individuals and the reason for such detention, and whether any stops involved immigration issues.”

MCSO Policy # EB-2, TRAFFIC STOP DATA COLLECTION (Section 5, Part C):

“Supervisors shall conduct reviews of the collected data for the deputies under his command on a monthly basis to determine whether there are warning signs or indicia of possible racial profiling, unlawful detentions and arrests, or improper enforcement of immigration-related laws. Each supervisor shall report his conclusions based on such a review on a monthly basis to the Court Compliance and Implementation Division.”

MCSO Policy # GB-2, COMMAND RESPONSIBILITY (Section 7B, Parts 1- 3):

Supervisors shall maintain a written record of the performance of each of their employees and “the record shall reflect the employee’s positive traits and accomplishments and any observed shortcomings”. Supervisors shall complete two supervisory notes per month for each sworn Deputy, whereas Civilian and Detention Officers shall receive one supervisory note per month.

MCSO Policy # GB-2, COMMAND RESPONSIBILITY (Section 12D, Parts 2A - B):

Supervisor’s shall discuss and document (collective) traffic stop activity made by each Deputy under their supervision at least one time per month. In addition, Supervisors “shall unequivocally and consistently reinforce to subordinates that discriminatory policing is unacceptable” and this message must be documented in supervisory notes on a minimum of a quarterly basis.

MCSO Policy # GJ-35, BODY-WORN CAMERAS (Section 7, Parts A - B):

Supervisor's shall conduct monthly reviews of body-camera footage of randomly selected traffic stops and shall make an assessment regarding Deputy performance and any training needs, compliance with the Policy, consistency between written reports and body-worn camera recordings, and shall verify that the camera is fully functional and used consistently. The Supervisor shall document the results of this review in an EIS Blue Team Supervisor Note entry (for additional information, reference the methodology and compliance checklist located on the U Drive:\BIO\Forms).

MELENDRES ORDER, PARAGRAPH 69: states that "MCSO Supervisors shall also conduct a review of the collected data for the Deputies under his or her command on a monthly basis". As a result, *at least one note regarding a collective review of traffic data must be completed within every 30-day period*. Regardless of duty assignment, a statement regarding traffic stop activity and collected data is required (i.e., if no traffic stops were performed a notation of "no traffic stops" is sufficient documentation within one of your bi-monthly entries). Furthermore, it should also be stressed that Supervisory Notes are to be utilized to document a specific employee's performance, and therefore the quality of the note itself is also critical.

MELENDRES ORDER, PARAGRAPH #85: states "First-line Supervisors shall be required to discuss individually the stops made by each Deputy they supervise" on a monthly basis, at a minimum.

Conditions:

MCSO's assigned Court Monitors provided a sample of 43 Deputies from all Patrol Districts/Divisions for the May Supervisory Note Review. It should be noted that the completion of a Supervisory Note inspection is dependent on when the Bureau of Internal Oversight receives the sample from the Court Monitors (which may be 30 or more days in arrears).

Our inspection revealed that **100%** of the Sergeants met the requirement for two Supervisory Note entries per Deputy, in accordance with the Melendres Order.

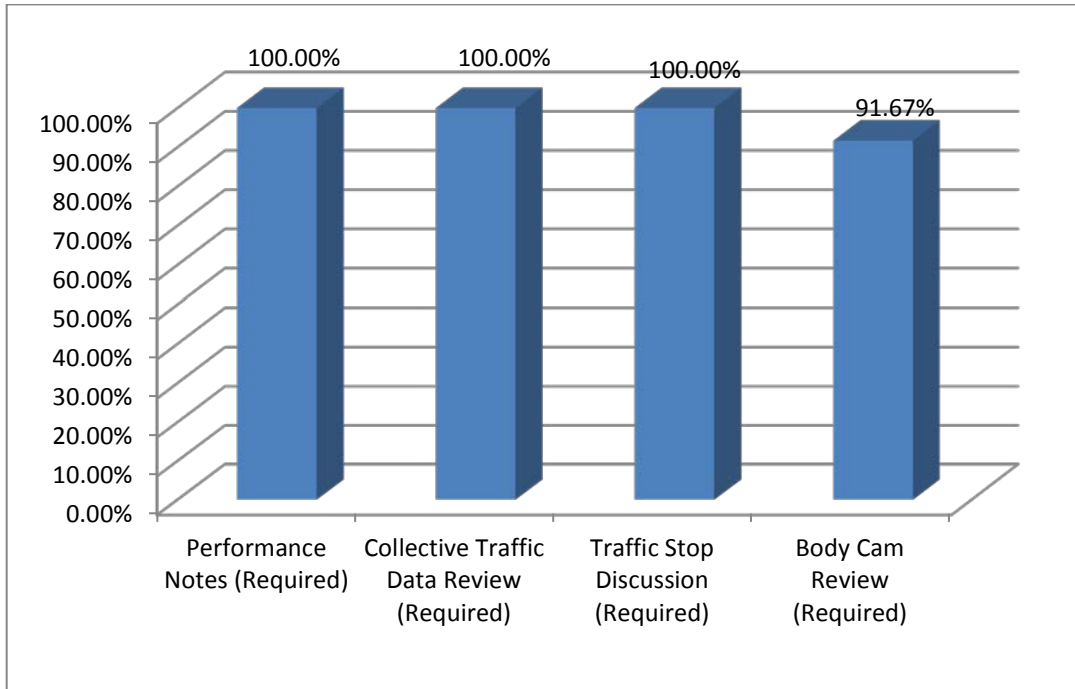
It was determined that **100%** of the Sergeants were in compliance with the requirement to conduct a collective review of traffic data, as per Policy EB-2 and **100%** of the Sergeants met the requirement for conducting a one-on-one discussion with their Deputies regarding traffic stops, as per Policy EB-1.

It was also noted that **91.67%** of the Sergeants completed the monthly review of body camera footage in accordance with MCSO Policy # GJ-35.

Supervisory Note Deficiencies – Areas Requiring Improvement:

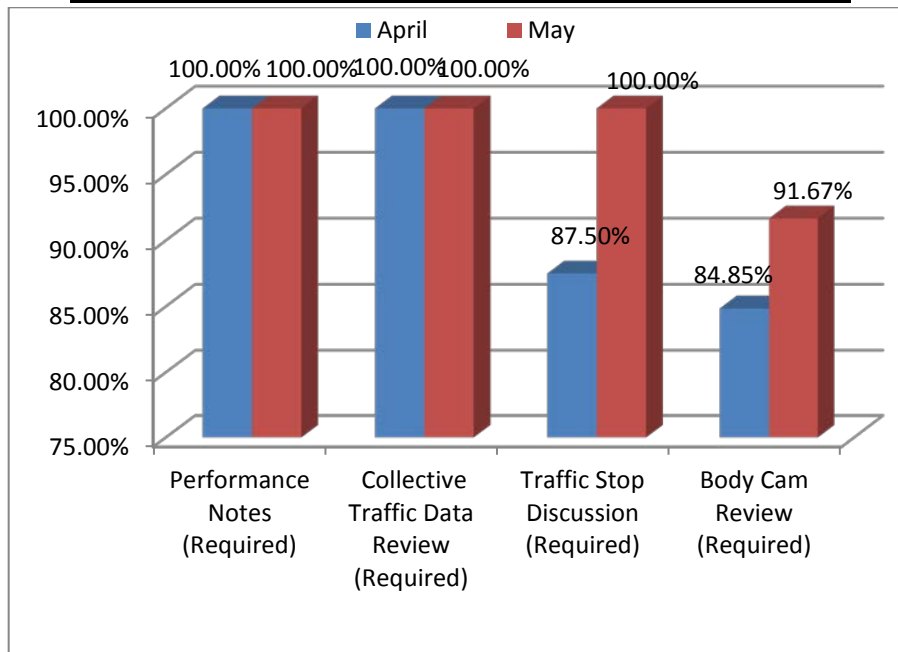
<u>Dist/Div:</u>	<u>Sworn Officer Name:</u>	<u>Commander:</u>	<u>Deficiency:</u>
District Five, Lake Patrol	Deputy	Captain	Lacked review of Body Camera Footage
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Current Compliance Rate: Patrol Supervisory Notes, May 2016



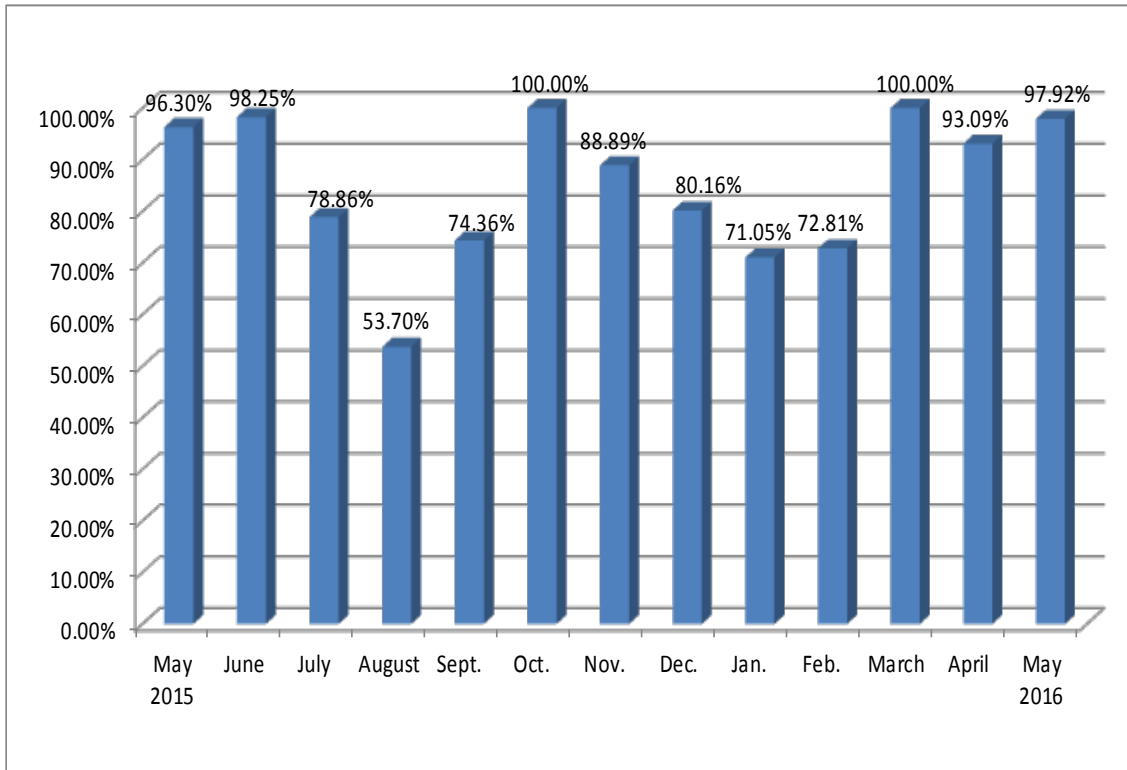
A comparative review of the last two months of Blue Team data indicates that Patrol’s individual compliance measurements have shown on-going improvement, as illustrated below:

Compliance Rate: Patrol Supervisory Notes for April and May 2016



<u>Blue Team Documentation:</u>	<u>April</u>	<u>May</u>	<u>Variance:</u>
Performance Notes (Required)	100.00%	100.00%	No change
Collective Traffic Data Review (Required)	100.00%	100.00%	No change
Traffic Stop Discussion (Required)	87.50%	100.00%	Increased by 12.5 percentage points
Body Cam Review (Required)	84.85%	91.67%	increased by 6.82 percentage points

Averaged Compliance Scores: Patrol Year-to-Date



Note- The averaged compliance score has been expanded to include the body cam measurement (i.e., Performance Notes + Traffic Stops + Review of Collective Data + Body Camera Reviews).

Effects:

The non-compliance of completing supervisory notes pursuant to MCSO Policy and the Melendres Court Order has potential risks/exposures such as the following: (1) Failing to identify potential employee misconduct, (2) Failing to properly document employee performance, (3) Failing to properly document and communicate both the strengths and weaknesses to employees and (4) Potential non-compliance with the Court Order and MCSO Policy.

Note: Effective June 2016 the Traffic Stop Discussion and Supervisor Review of Traffic Stop Forms aspect of supervisory notes transitioned to the Tracs Database where they will be documented and inspected in a separate inspection.

Recommendation:

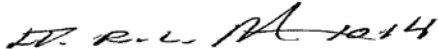
It is recommended that Supervisory Note Inspections continue at the District level to provide assurance that the compliance rates continue to show improvement and remain constant over time. To accomplish this goal, the following criteria must be met:

1. **On a monthly basis**, (2) Supervisory Notes shall be completed per Deputy and shall be used to specifically document the following four requirements:
 - a. The Deputy’s work performance during the last 30 day period
 - b. A collective Review of Traffic Stop Data was completed by the Supervisor
 - c. The review of randomly selected traffic stop video footage
(Note: if Body Cams are not yet fully operational in your District, please document the current status in your monthly Supervisory Note entry to avoid receiving a deficiency in this area).

2. **On at least a quarterly basis**, Supervisory Notes/Briefing Notes shall be used to document a conversation regarding MCSO’s Policy on anti-racial profiling and “*shall unequivocally reinforce to subordinates that discriminatory policing is unacceptable*” (reference Critical Policy CP-8).

Date Inspection Started: June 22nd, 2016
Date Completed: June 23rd, 2016
Timeframe Inspected: May 1st through 31st, 2016
Assigned Inspector(s): Sergeant Reaulo #S1678

I have reviewed this inspection report.



Lieutenant Rick Morris
Division Commander
Audits and Inspections

6/23/2016
Date



Deputy Chief Bill Knight
Bureau Commander
Bureau of Internal Oversight

6/23/2016
Date